

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 15294 of 2004(U)

IA.3662/03 IN OS.764/1997 of ADDL.M.C.,IRINJALAKUDA

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PETITIONER:

SHAJU, S/O.MANAGALAKKARA PONNAN,
KAVANAD DSOM, VADAMA VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.

BY ADV. SRI.K.G.BALASUBRAMANIAN

RESPONDENTS:

1. CARMEL COLLEGE, MALA REP. BY ITS
PRINCIPAL, MALA P.O, THRISSUR DISTRICT.
2. PROVINCIAL, C.M.C. CONVENT,
UADAYA PROVINCE, IRINJALAKUDA DESOM AND
VILLAGE, THRISSUR DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC.15294/04

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – TRUE COPY OF I.A.3662/03 FILED BY PETR. IN O.S.764/97 OF MUNSIFF'S COURT, IRINJALAKUDA.

EXT.P2 – TRUE COPY OF ORDER DT.26.2.04 ON EXT.P1.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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W.P.(C)No.15294 OF 2004
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DATED THIS THE 22ND JUNE, 2007

J U D G M E N T

Mr.K.G.Balasubramanian, learned counsel for the petitioner submits that some more time will be required for finalising the settlement proposal which is seriously under consideration by the parties. The properties have already been measured, according to the learned counsel.

2. In this Writ Petition under Article 227 of the Constitution, it is Ext.P2 order by which the learned Munsiff dismissed an application for setting aside the commissioner's report which is impugned. Having gone through Ext.P2, I do not find any warrant for correcting the same invoking the visitorial jurisdiction under Article 227. However, considering the submissions of Mr.K.G.Balasubramanian, the Writ Petition will stand disposed of directing that the order of stay presently passed will continue for another four months from today.

(PIUS C.KURIAKOSE, JUDGE)

tgl

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